

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA)	
)	
)	No. 3:11-cr-046-2
V.)	(PHILLIPS/ SHIRLEY)
)	
)	
EDWARD FULTZ, JR.)	

ORDER OF DETENTION PENDING TRIAL

A detention hearing was scheduled in this case for May 2, 2011. Before the scheduled detention hearing, Attorney James H. Varner, Jr. contacted the court and stated that the defendant wished to waive his right to a detention hearing at this time, and reserve the right to have a hearing at a later date, if appropriate. Pursuant to the defendant signing a Waiver of Detention Hearing, the defendant is to be detained. 18 U.S.C. § 3142(f)(2)(B).

For good cause, and by agreement of the defendant, this detention hearing is waived and the defendant is detained. The Detention Hearing scheduled for May 2, 2011 is cancelled.

The defendant is aware of his rights to a prompt detention hearing and to require the government to meet its burden of proving that no conditions of release exist which will reasonably assure his appearance in court and the safety of the community. The defendant knows that if his detention hearing is waived he will remain in custody while it is continued.

For good cause shown, the defendant's request not to contest, and to waive the

detention hearing is hereby **GRANTED**.

It is therefore **ORDERED** that:

- (1) Defendant be detained.;
- (2) Defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;
- (3) Defendant be afforded reasonable opportunity for private consultation with counsel; and
- (4) On order of a court of the United States or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States marshal for the purpose of an appearance in connection with any court proceeding.

ENTER:

s/C. Clifford Shirley, Jr.
United States Magistrate Judge